

# Paraguay

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## Freedom of the Press

**Status change explanation:** Paraguay's status improved from Not Free to Partly Free due to a reduction in direct political influence over the state-owned media in 2013. The improvement contrasted with broad restrictions on freedom that followed the parliament's controversial ouster of President Fernando Lugo in June 2012. In addition, the number of libel and defamation cases against journalists declined in 2013, but media freedom continued to be constrained by intimidation and attacks against journalists.

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The constitution and other laws guarantee freedom of the press, and the government generally respects this right. Defamation is a criminal offense punishable by prison terms of up to three years and fines, and public officials have regularly filed cases against journalists. Although at least one case was brought in 2013, the number of complaints declined from previous years. Freedom of information has been another contentious issue in recent years. The constitution is vague with respect to the right of access to information, declaring that "public sources of information are free for all." Nevertheless, Paraguay is one of the few countries in the Americas lacking statutory legislation guaranteeing such access. In the absence of such a law, the Senate approved Resolution 519 in December 2011, which requires prior authorization from the chamber's president before any Senate documents can be turned over to the press. In October 2013, the Chamber of Deputies responded to journalists' pressure to release information about names and salaries of parliamentarians and their employees by further tightening restrictions on the dissemination of information about public officials. However, later that month the Supreme Court ruled in a case on related issues that the three branches of government must ensure public access to information, especially regarding "the number and names of government employees, their respective posts, and their salaries." Although the decision applied directly to the city of San Lorenzo, both the Senate and Chamber of Deputies subsequently released data about employees and salaries—with the information confirming longstanding suspicions of nepotism and exorbitant salaries and bonuses. In December 2013, the Senate passed an access to public information law, although press advocates noted that it included an overly broad clause regarding classified information. The Chamber of Deputies had not followed up at year's end.

Congress ratified the Telecommunications Law in March 2011, overriding then president Fernando Lugo's November 2010 veto. The law limits community radio stations' broadcasting power to 50 watts and prohibits them from carrying advertising. It also recognizes the National Telecommunications Commission (CONATEL) as an independent entity empowered to grant or deny licenses, but fails to guarantee the agency's autonomy. Freedom of expression advocacy entities such as the World Association of Community Radio Broadcasters and the Organization of American States' Office of the Special Rapporteur for Freedom of Expression have argued that the law violates international standards for freedom of expression.

Paraguay held a presidential election in April 2013 to replace President Federico Franco, who had assumed office following parliament's controversial ouster of Lugo in June 2012. Despite fears of a tense election, new president Horacio Cartes was chosen in generally orderly balloting. Nonetheless, the campaign was marked by controversy, with reporting of alleged links between the candidates and organized crime, as well as intimidation of journalists. Two television stations, privately owned Canal 9 SNT and state-owned TV Pública, were condemned by Reporters Without Borders after refusing to broadcast ads produced by members of Lugo's Frente Guasú coalition. In addition, the country's elections

board, the Tribunal Superior de Justicia Electoral, declared that exit polls and other election information could not be shared on social media on election day, in line with restrictions on other forms of media such as newspapers, radio, and television. However, it does not appear that the new ruling was enforced.

Paraguayan journalists continued to confront physical threats and attacks in 2013, and several media workers have been under police protection for years. The “tri-border” area where Paraguay meets Brazil and Argentina remains a region of particular concern regarding journalists’ safety and ability to report without violence and pressure from organized crime or politicians. Drug trafficking, organized crime, official corruption, and impunity in the region mean that journalists often engage in self-censorship to avoid reprisals. In addition, journalists in the regional hub of Ciudad del Este are occasionally censored, threatened, or fired as a result of pressure from government officials.

Two journalists were killed in Paraguay during the year, although it was unclear whether their deaths were directly related to their work. In February 2013, Marcelino Vázquez, the owner of a radio station in the northern province of Amambay—part of the dangerous border area with Brazil—was gunned down by assailants. Two figures believed to be tied to organized crime in the region were arrested, but the killers’ motives were not definitively established by year’s end. Just days after the election in April, Carlos Artaza, a photographer with the Amambay governor’s press office, was murdered by two gunmen on a motorcycle. Artaza had closely covered a fiercely contested gubernatorial race in the region as well as other local political issues. Other journalists were also subject to threats and intimidation linked to the Amambay race. While hosting a live debate between the candidates, journalist Aníbal Gómez Caballero received a death threat via text message. Later in April, Candido Figueredo, a prominent reporter with Paraguayan daily *ABC Color*, received a death threat while covering Artaza’s shooting, prompting augmented police protection (he has been under protection for almost two decades). Several other journalists reported incidents of aggressive intimidation during the year, including radio host Luis Horacio Fernández, whose car was attacked by gunmen in May in Misiones province.

The government owns and operates Radio Nacional and TV Pública, both launched in August 2011 following a campaign pledge by Lugo to create public-service media. TV Pública is the first public-service television station of its kind in Paraguay and had developed a generally independent and pluralistic editorial line in its first year of operation. However, following Lugo’s ouster, its director resigned and many of its journalists were dismissed. All of the station’s top leadership was replaced, and the dismissed personnel never restored to their former posts. The waves of politically motivated dismissals abated in 2013, although critics have noted a somewhat more commercial and less political tone in its broadcasting. In August, TV Pública changed its name to Paraguay TV HD as part of a rebranding campaign.

Radio remains the dominant medium, and the vast majority of the radio spectrum is controlled by either commercial or state-owned stations, despite attempts by community stations to increase their presence. Although some progress has been made, especially through the creation of indigenous community radio stations in the western Chaco region, much remains to be done to diversify the airwaves. In June 2013, a fifth indigenous radio station in the region, Voces Nativas 90.9 FM, was inaugurated in the community of Cayin ô Clim. However, in October rural community radio stations claimed that large outlets were attempting to shut them down by accusing the community stations of sympathizing with a rural insurgent group.

Paraguay does not place legal limits on media concentration, and three privately owned media groups have significant market share: Editorial Azeta S.A., which publishes the influential daily *ABC Color*; Grupo Vierci, whose holdings include the newspaper *Ultima Hora*, television’s Telefuturo (Canal 4), and TV and Radio Monumental; and the Holding de Radio company, which owns the popular Radio Ñandutí, among others. According to a 2012 report by Transparency International, these outlets tend to set the national media agenda. Legislators from Lugo’s Frente Guasú party have repeatedly proposed a law that would

diversify and “democratize” sources of information, similar to one passed in Argentina in 2009, but no concrete measure emerged by year’s end.

Approximately 37 percent of the population used the internet in 2013, and there were no reports of government restrictions on access. Ease of access has increased dramatically over the past several years. While use of social media is growing, only about 7 percent of Paraguayans were active on such platforms in 2012.

## **2014 Scores**

### **Press Status**

Partly Free

### **Press Freedom Score**

**(0 = best, 100 = worst)**

59

### **Legal Environment**

**(0 = best, 30 = worst)**

17

### **Political Environment**

**(0 = best, 40 = worst)**

24

### **Economic Environment**

**(0 = best, 30 = worst)**

18